

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 404 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.M.SONI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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STATE OF GUJARAT

Versus

NATVARBHAI JIVRAMBHAI THAKKER

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Appearance:

Mr.K.P.Raval, A.P.P. for Petitioner  
Respondent served

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CORAM : MR.JUSTICE S.M.SONI

Date of decision: 02/07/96

ORAL JUDGEMENT

In this Revision Application, judgment and order dated 1.6.88 passed by Additional Sessions Judge, Ahmedabad (Rural) in Cri. Misc.Appln. No.213 of 1988 releasing the accused on bail is assailed.

Supreme Court in the case of Dolatram & Ors. vs. State of Haryana (1995 (1) SCC 349) has held that "very cogent and overwhelming circumstances are necessary for

an order directing the cancellation of the bail already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are : interference or attempt to interfere with the due course of administration of justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner". Only ground made out in this case for cancellation of bail is the gravity of offence. No ground as stated or referred in Dolatram's case (Supra) is made out. Gravity of offence, in my opinion, cannot be a ground for cancellation of bail, if once granted by the court because gravity was one of the important fact staring in the face of the learned Judge who had considered the bail application. Thus, no case is made out for cancellation. Hence rejected. Rule discharged.

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